

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Patrick Forciea,

Civil 08-2219 JMR/FLN

Plaintiff,

v.

O R D E R

Fortis Benefits Insurance Company,

Defendant.

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Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated August 26, 2008, all the files and records, and no objections having been filed to said Report and Recommendation,

**IT IS HEREBY ORDERED** that Plaintiff's motion to remand [#7] is DENIED.

DATED: September 22, 2008.  
at Minneapolis, Minnesota

s/James M. Rosenbaum  
JUDGE JAMES M. ROSENBAUM  
United States District Court